

PTOL-413A (10-07)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

## Applicant Initiated Interview Request Form

Application No.: 091758,831 First Named Applicant: YUE CHEN  
 Examiner: A CHEN Art Unit: 2102 Status of Application: PENDING

## Tentative Participants:

(1) A CHEN (2) NATHAN RAN  
 (3) \_\_\_\_\_ (4) \_\_\_\_\_

Proposed Date of Interview: 2/10/2008 Proposed Time: 1 (AM/PM) PM

## Type of Interview Requested:

(1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ YES ☒ NO

If yes, provide brief description: \_\_\_\_\_

## Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>REJ</u>	<u>1-31</u>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Continuation Sheet Attached

## Brief Description of Arguments to be Presented:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

An interview was conducted on the above-identified application on \_\_\_\_\_.

**NOTE:** This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

[Signature]  
 Applicant/Applicant's Representative Signature

\_\_\_\_\_  
 Examiner/SPE Signature

N. RAN  
 Typed/Printed Name of Applicant or Representative

45,466  
 Registration Number, if applicable

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

FOR REVIEW  
DO NOT ENTER

First Named Inventor: Yue Chen

Attorney Docket No.: 150562.01

Application No.: 09/758,831

Group Art Unit: 2182

Filed: January 11, 2001

Confirmation Number: 8533

Customer No.: 22971

Examiner: CHEN, Alan S

Title: Computer Based Switch for Testing Network Servers

Commissioner for Patents

P.O. Box 1450

Alexandria VA 22313-1450

**AMENDMENT**

Sir:

In response to the Office Action mailed December 12, 2007, please amend the above-identified application as follows:

**Amendments to the Claims** are reflected in the listing of claims that begins on page 2 of this amendment.

**Remarks** begin on page 10 of this amendment.

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Filing Date: January 11, 2001

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings of claims in the application. Applicant has submitted a new complete claim set showing marked up claims with insertions indicated by underlining and deletions indicated by strikeouts and/or double bracketing.

1. (Currently Amended) A computer functioning as a computer-based network switch, comprising:

a first network adapter for connecting to an external network;

a plurality of second network adapters each for forming a connection with a network server in a private network;

a switching component for receiving network communication data from the external network through the first network adapter and directing the received network communication data to the second network adapters for transmission to the respective network servers in the private network connected thereto; and

a test control component for selectively disabling the second network adapters to create failure of physical connections between the second network adapters and the respective network servers in the private network connected thereto, the test controller further including a third network adapter for connecting the test control component to the external network to allow the test control component to communicate with the external network.

2. Cancelled

3. (original) A computer as in claim 1, wherein the switching component is programmed to operate on network communication data passing

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therethrough to create a communication test condition other than a connection failure condition.

4. (Currently Amended) A computer as in claim 3, wherein the switching component is programmed to provide a preselected delay to network communication data passing therethrough.

5. (original) A computer as in claim 3, wherein the switching component is programmed to selectively drop network communication data.

6. (original) A computer as in claim 3, wherein the switching component is programmed to reorder data in a communication stream passing therethrough.

7. (original) A computer as in claim 3, wherein the switching component is programmed to introduce errors into network communication data passing therethrough.

8. (original) A computer as in claim 1, wherein the switching component is programmed for monitoring flows of network communication data therethrough from the respective network servers in the private network to the external network.

9. (Currently Amended) A computer-readable medium having computer-executable components for controlling a plurality of network adapters in a computer

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to create test conditions for testing network servers in a private network, the network servers connected to the network adapters, comprising:

a switching component for receiving network communication data from an external network and directing the received network communication data to the network adapters for transmission to the respective network servers in the private network connected thereto;

a test control for selectively disabling the network servers to create failure of physical connections between the network adapters and the respective network servers in the private network connected thereto, and configured for sending/receiving instructions over a network adapter separate from the network adapters associated with the switching component.

10. (original) A computer-readable medium as in claim 9, wherein the switching component includes further computer-executable instructions for operating on network communication data passing therethrough to create a test condition other than a connection failure condition.

11. (Currently Amended) A computer-readable medium as in claim 10, wherein the switching component includes computer-executable instructions for selectively buffering network communication data passing therethrough for a preselected delay period.

12. (original) A computer-readable medium as in claim 10, wherein the switching component includes computer-executable instructions for selectively dropping network communication data passing therethrough.

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13. (original) A computer-readable medium as in claim 10, wherein the switching component includes computer-executable instructions for reordering data in a communication stream passing therethrough.

14. (original) A computer-readable medium as in claim 10, wherein the switching component includes computer-executable instructions for introducing errors into network communication data passing therethrough.

15. (original) A computer-readable medium as in claim 9, wherein the test control includes computer-executable instructions for communicating with a server testing controller to receive commands regarding testing of the network servers.

16. (original) A computer-readable medium as in claim 9, wherein the switching component includes further computer-executable instructions for monitoring flows of network communication data from the respective network servers to the external network.

17. (original) A system for testing network servers in a private network, comprising:

a computer functioning as a computer-based network switch, including a plurality of network adapters for forming connections to the network servers, a switching component for receiving network communication data from an external network and directing the received network communication data to the network adapters for transmission to the respective network servers in the private network connected thereto, and a test control for selectively disabling the network adapters;

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a plurality of client computers connected to the external network for communication with the network servers in the private network through the computer-based network switch;

a server testing controller connected to the external network for coordinating testing of the network servers, including instructing the client computers to send network communication data to the network servers in the private network through the computer-based network switch, and causing the test control to selectively disable the network adapters to create failure of physical connections between the network adapters and the network servers in the private network connected thereto.

18. (original) A system as in claim 17, wherein the switching component is controllable to operate on network communication data passing therethrough to create a test condition other than a connection failure condition.

19. (Currently Amended) A system as in claim 18, wherein the switching component is controllable to selectively buffer network communication data passing therethrough to introduce a preselected delay.

20. (original) A system as in claim 18, wherein the switching component is controllable to selectively drop network communication data passing therethrough.

21. (original) A system as in claim 18, wherein the switching component is controllable to reorder network communication data passing therethrough.

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22. (original) A system as in claim 18, wherein the switching component is controllable to introduce errors in network communication data passing therethrough.

23. (original) A system as in claim 17, wherein the switching component is programmed for monitoring flows of network communication data from the network servers to the network clients.

24. (Currently Amended) A method of testing a plurality of network servers in a private network, comprising the steps of:

connecting the network servers to a plurality of network adapters;

receiving network communication data from an external network;

directing the received network communication data to the network adapters for transmission to the respective network servers in the private network connected thereto;

selectively disabling the network adapters using a test control component to create failure of physical connections between the network adapters and the network servers in the private network connected thereto; and

communicating, using the test control component, to the external network through a third network adapter separate from others of the plurality of network adapters.

25. (original) A method as in claim 24, further including the step of operating on the network communication data received from the external network to create a test condition other than a connection failure condition before sending the network communication data to the network servers through the network adapters.

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26. (Currently Amended) A method as in claim 25, wherein the step of operating includes selectively buffering network communication data passing therethrough for a preselected delay period.

27. (original) A method as in claim 25, wherein the step of operating includes selectively dropping network communication data passing therethrough.

28. (original) A method as in claim 25, wherein the step of operating includes reordering network communication data passing therethrough.

29. (original) A method as in claim 25, wherein the step of operating includes introducing errors to network communication data passing therethrough.

30. (Currently Amended) A method as in claim 24, further including the step of monitoring flows of network communication data from the network servers to the external network.[[.]]

31. (Currently Amended) A computer comprising:

a first set of network adaptors configured to connect the computer to a plurality of clients through a first network;

a second set of network adaptors configured to connect the computer to a plurality of servers through a second network;

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a switching module configured to identify incoming communication data from the clients received by the first set of network adaptors and to send the communication data to the servers through the second set of network adaptors; and

a testing module including a third network adapter for connecting the testing module to the external network to allow the testing module to communicate with the external network, the testing module configured to create a failure of a physical connection to at least one of the servers by disabling the network adaptor corresponding to the at least one server in the second set of network adaptors;

wherein a fail-over mechanism associated with the plurality of servers is tested by the failure of the physical connection created by the testing module.

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